

<b>Kalen Hudson Selby,</b>	)	
	)	<b>Court of Appeals No. A-13304</b>
<b>Appellant,</b>	)	
	)	<b>Order</b>
<b>v.</b>	)	<b>Strike Brief</b>
	)	
<b>State of Alaska,</b>	)	
	)	
<b>Appellee.</b>	)	<b>Date of Order: 5/28/19</b>
	)	

---

**Trial Court Case # 3AN-18-07822MO**

The State first argues that this Court lacks jurisdiction because under Appellate Rule 601(b), Mr. Selby — who was convicted of an infraction — was required to appeal to the superior court, not to this Court. But under Appellate Rules 202(b), 217(a), and AS 22.07.020(c), this Court has jurisdiction to hear all appeals arising from criminal proceedings in the district court. The Alaska Supreme Court has long considered traffic infractions as a class of quasi-criminal offenses which, while they are not serious, are to be disposed of within the criminal justice system. *See State v. Clayton*, 584 P.2d 1111, 1114 (Alaska 1978). *See also, State v. Dutch Harbor Seafoods, Ltd.*, 965 P.2d 738, 745 (Alaska 1998).

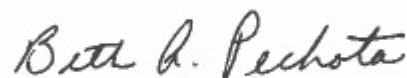
Nothing in Appellate Rule 601(b) limits this Court's jurisdiction to hear appeals from district court judgments in criminal proceedings, or in quasi-criminal proceedings. Nor does the rule require a defendant to appeal to the superior court rather than to this Court. Instead, Rule 601(b) provides defendants an alternate means to exercise their right to appeal a judgment from the district court in criminal proceedings. Under the rule, a defendant may appeal a district court judgment to the superior court instead of to this Court. If a defendant does exercise the right to appeal a judgment to the superior court, then the defendant waives the right to later appeal to this Court. But even so, this Court still has the authority to grant a petition for hearing of the superior court's appellate judgment.

Regarding the Mr. Selby's opening brief, the Court agrees with the State that the brief does not conform with Appellate Rules 212 and 217, and recognizes that the brief is difficult to understand. But this Court, in the interests of justice, has a long-standing practice of accepting pro se briefs that do not substantially conform with Rules 212 and 217.

For these reasons, the State's motion to strike the Appellant's opening brief is **DENIED**.

Entered under the authority of Chief Judge Allard.

Clerk of the Appellate Courts



---

Beth A. Pechota, Deputy Clerk

Distribution:

Hazel Blum  
Office of Criminal Appeals  
1031 W. 4th Avenue, Suite 200  
Anchorage AK 99501

Kalen Hudson Selby  
1120 Baranof St.  
Kodiak AK 99615